

REMARKS

Claims 13-18 are all the claims pending in the application.

I. Form PTO/SB/08 A & B

The Examiner has not returned a signed copy of the Form PTO/SB/08 A & B filed with the application on January 16, 2004. The Examiner is respectfully requested to initial and date the Form and return a signed copy to Applicants with the next PTO communication. For the Examiner's convenience, Applicants attach hereto a copy of the Form PTO/SB/08 A & B filed on January 16, 2004.

II. Response to Rejection under 35 U.S.C. § 103(a)

Claims 13-18 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over JP 07-157307 ("JP '307").

Applicants respectfully traverse the rejection for the following reasons.

As set forth in the Amendment filed on February 7, 2005, a resol xylene resin (recited in the present claims) and a novolac xylene resin (used in JP '307) have different reactivity against silicon. Applicants submit herewith a Declaration under 37 C.F.R. § 1.132 executed by Mr. Masashi Otsuki, one of the co-inventors of the presently claimed invention, to demonstrate the differences between silicon carbide powders prepared by using a resol xylene resin and a novolac xylene resin.

In the Declaration, the Example and Comparative Example were prepared in the same manner as described in the present specification by using a résol xylene resin and a novolac xylene resin as the carbon source. The samples were analyzed by an X-ray diffractometer (XRD) and then charts were produced. As the charts clearly show, almost all of the product in the Example was SiC (green color). In contrast, most of the product in the Comparative Example was SiO₂ (white color). In addition, the yield of SiC in the Comparative Example was about two thirds of that in the Example.

Mr. Otsuki concluded that a silicon carbide single crystal cannot be prepared in Comparative Example.

Accordingly, the silicon carbide powder described in JP '307 is materially different from the presently claimed invention. That is, JP '307 does not teach or suggest the presently claimed silicon carbide powder.

In view of the foregoing, Applicants respectfully submit that the present claims are not obvious over JP '307 and thus the rejection should be withdrawn.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.116
U.S. Application No.: 10/758,130

Attorney Docket Q79054

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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